



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 5, 1997

Ms. Joanne Wright
Associate General Counsel
Texas Department of Transportation
125 East 11th Street
Austin, Texas 78701-2483

OR97-0252

Dear Ms. Wright:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 103797.

You sought an open records decision from this office pursuant to section 552.305 of the Government Code. Consequently, this office notified representatives of U.S. Public Technologies and American Traffic Systems that we received your request for an open records decision regarding proposals those companies had submitted to the Texas Department of Transportation. In our letters to the two companies, this office requested an explanation as to why portions of their respective proposals were excepted from public disclosure, with the caveat that their failure to do so within a reasonable time would result in this office instructing you to disclose the information.

More than two months have elapsed since this office issued its notice, but both companies have failed to provide this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. See Open Records Decision No. 552 (1990). Because neither you nor the companies submitting proposals to the department have contended to this office that the requested information should be withheld, you should release the information at this time. If you have any questions regarding this letter, please contact this office.

Yours very truly,

A handwritten signature in cursive script, reading "Loretta DeHay", is positioned above the typed name.

Loretta R. DeHay
Assistant Attorney General
Open Records Division

LRD/RWP/rho

Ref.: ID# 103797

Enclosures: Submitted documents

cc: Mr. William M. Knolle
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(w/o enclosures)

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